

AMENDED IN SENATE MAY 31, 2000

AMENDED IN SENATE MAY 4, 2000

SENATE BILL

No. 1598

Introduced by Senator O'Connell

February 18, 2000

An act to add Section 45023.1 to the Education Code, relating to certificated employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 1598, as amended, O'Connell. Teacher salaries.

Under existing law, the governing board of each school district is generally required to establish the compensation paid to persons in public school service that require certification.

This bill would authorize the governing board of a school district, the county superintendent of schools, or the county boards of education, ~~in~~ *commencing with* the 2000-01 ~~and 2001-02~~ fiscal ~~years~~ *year*, to increase the lowest salary on the salary schedule for a certificated employee that meets certain requirements by designating as the lowest salary on the salary schedule an amount ~~not to exceed an unspecified amount that is at least \$38,000 in the 2000-01 fiscal year and an unspecified amount in the 2001-02 fiscal year~~. This bill would set forth procedures for reimbursement for the cost of the increase.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. *The Legislature hereby finds and declares all of the following:*

(a) *The minimum annual salary for a classroom teacher who possesses a full credential should be at least thirty-eight thousand dollars (\$38,000).*

(b) *A thirty-eight thousand dollars (\$38,000) minimum annual salary for a beginning credentialed classroom teacher is necessary to place the teaching profession in a position where it would be able to effectively compete with other professions for talented individuals who might consider teaching, but who are attracted to other higher paying professions that require similar years of postsecondary education and preservice experience.*

(c) *Teacher salary schedules in school districts should be designed to accomplish multiple goals, including, but not limited to, all of the following:*

(1) *The attraction of people with the education and personal characteristics to become career teachers.*

(2) *The retention of qualified, competent, and experienced teachers.*

(3) *The achievement of a reasonable annual salary commensurate with a teacher's experience, education, and responsibilities.*

(4) *The recognition of continuing professional development that is of benefit to the district, a teacher's school, and their pupils.*

(d) *The state's existing Jack O'Connell Beginning-Teacher Salary Incentive Program, with the minimum salary goal of thirty-two thousand dollars (\$32,000), is a good first effort toward accomplishing a more appropriate goal of an annual minimum beginning-teacher salary of thirty-eight thousand dollars (\$38,000).*

(e) *The goal of an annual minimum beginning-teacher salary of thirty-eight thousand dollars (\$38,000) can be achieved if the state provides the financial support for school districts and county offices of*

1 *education that adopt the thirty-eight thousand dollar*
2 *(\$38,000) minimum. The state's school districts and*
3 *county offices of education are of such diverse size and*
4 *type that two options for state financial support should be*
5 *made available. The school districts, county offices of*
6 *education, and county superintendents of schools should*
7 *be permitted to choose the option that best meets their*
8 *conditions in order to achieve a minimum annual*
9 *beginning-teacher salary of thirty-eight thousand dollars*
10 *(\$38,000).*

11 *SEC. 2.* Section 45023.1 is added to the Education
12 Code, to read:

13 45023.1. (a) The governing board of a school district,
14 the county superintendent of schools, or the county board
15 ~~of education, in the 2000-01 and 2001-02 fiscal years, may~~
16 *of education, commencing with the 2000-01 fiscal year,*
17 *may increase, for teachers meeting the requirements*
18 *prescribed by this section, the salary on its adopted*
19 *certificated employee salary schedule ~~for the applicable~~*
20 *fiscal year as provided in subdivision (b). For purposes of*
21 *this section, any teacher for whom the governing board,*
22 *county superintendent of schools, or county board of*
23 *education may increase salaries shall meet all of the*
24 *following criteria:*

25 (1) Hold a valid California teaching credential, not
26 including an emergency permit, intern permit, or waiver.

27 (2) Possess a baccalaureate or higher degree.

28 (3) Receive a salary paid ~~from~~ *through* the general
29 fund of the district or county office.

30 (b) The governing board, county superintendent of
31 schools, or county board of education that increases its
32 salaries pursuant to subdivision (a) shall perform the
33 following computations:

34 (1) The governing board, county superintendent of
35 schools, or county board of education shall designate as
36 the lowest salary on the salary schedule for a certificated
37 employee meeting the criteria in subdivision (a) an
38 amount ~~not to exceed that is at least~~ *an annual salary of*
39 ~~_____ dollars (\$_____)~~ *thirty-eight thousand*
40 *dollars (\$38,000) in the 2000-01 fiscal year. This amount*

1 ~~shall be increased to an annual salary of _____ dollars~~
2 ~~(\$ _____) for the 2001-02 fiscal year.~~

3 (2) The governing board, county superintendent of
4 schools, or county board of education shall increase to the
5 annual salary amount in paragraph (1) the salary of any
6 certificated employee meeting the criteria in subdivision
7 (a) whose salary on the salary schedule for the ~~applicable~~
8 ~~1999-2000~~ fiscal year ~~is was~~ less than the amount
9 computed in paragraph (1) and, notwithstanding Section
10 45028, shall incorporate that increase into the salary
11 schedule ~~commencing with the 2000-01 fiscal year.~~

12 (3) ~~The newly adopted salary schedule shall contain~~
13 ~~only one cell that meets the amount specified in~~
14 ~~paragraph (1), which most often is the first-year step of~~
15 ~~a salary schedule column for certificated personnel who~~
16 ~~meet the criteria set forth in subdivision (a). All other~~
17 ~~salary schedule cells for personnel that meet the criteria~~
18 ~~in subdivision (a) shall exceed the levels set forth in~~
19 ~~paragraph (1).~~

20 (c) Each school district or county office of education
21 that increases ~~salaries~~ *its beginning-teacher annual*
22 *minimum salary to thirty-eight dollars (\$38,000)* pursuant
23 to subdivision (b) shall *elect to* receive reimbursement
24 for the cost of the increase *pursuant to only one of the*
25 *following two options:*

26 (1) *Option One:*

27 (A) A school district, county superintendent of
28 schools, or county office of education may submit a
29 request to the Superintendent of Public Instruction, on a
30 form supplied by the Superintendent of Public
31 Instruction, for an amount of state funding that is equal
32 to ten dollars (\$10) times the district's or county office's
33 second principal apportionment average daily
34 attendance for the 1999-2000 fiscal year.

35 (B) Average daily attendance shall only reflect
36 attendance of pupils who attend programs that are
37 funded through the school district's, county
38 superintendent of schools', or county office of education's
39 general fund.

(C) The school district, county superintendent of schools, or county office of education shall utilize these incentive funds not only to meet the new beginning-teacher annual minimum salary of thirty-eight thousand dollars (\$38,000), but may also use the funds to generally enhance teachers' salaries in order to achieve, the goals of retention of qualified, competent, and experienced teachers, and the attainment of a reasonable salary commensurate with a teacher's experience, education, and responsibilities.

(D) The school district, county superintendent of schools, or county office of education may adjust its revenue limit computed pursuant to Section 2550 or 42238 for the 2001–02 fiscal year, and each fiscal year thereafter if the local educational agency maintains compliance with this section, to reflect the amount of the state funds expended during the 2000–01 fiscal year.

(E) Any state funds received pursuant to this paragraph and not used pursuant to the conditions of this paragraph shall be returned to the state.

(2) Option Two: A school district, county superintendent of schools, or county office of education may submit a request to the Superintendent of Public Instruction, on a form supplied by the Superintendent of Public Instruction, for state funding computed as follows:

~~(1)–~~

(A) Total the salaries of all certificated employees receiving increased salaries up to a maximum of thirty-eight thousand dollars (\$38,000) per person pursuant to subdivision (b) for the 2000–01 fiscal year.

~~(2)–~~

(B) Total all salaries, based on the salary schedule for the applicable 2000–01 fiscal year before the increase made pursuant to subdivision (b), of all certificated employees receiving increased salaries pursuant to subdivision (b).

~~(3)–~~

(C) Subtract the amount in paragraph (2) from the amount in paragraph (1).

~~(4)–~~

1 (D) Multiply the amount in paragraph (3) by the
2 district's State Teachers' Retirement System contribution
3 rate.

4 ~~(5) In the applicable fiscal year, the revenue limit of~~
5 ~~the district calculated pursuant to Section 42238 or of the~~
6 ~~county office of education calculated pursuant to Section~~
7 ~~2550 may be increased by an amount equal to the sum of~~
8 ~~the amounts in paragraphs (3) and (4).~~

9 ~~(6) For the 2000-01 and 2001-02 fiscal years, any school~~
10 ~~district or county office of education that received~~
11 ~~reimbursement pursuant to this subdivision in the prior~~
12 ~~fiscal year shall divide the amount added to the revenue~~
13 ~~limit pursuant to paragraph (5) by the regular average~~
14 ~~daily attendance for the prior fiscal year, and shall add~~
15 ~~that quotient to the base revenue limit per unit of average~~
16 ~~daily attendance for the applicable fiscal year.~~

17 ~~(d)–~~

18 (E) *For the 2001-02 fiscal year, and each fiscal year*
19 *thereafter, the revenue limit of the school district*
20 *calculated pursuant to Section 42238 or of the county*
21 *office of education calculated pursuant to Section 2550*
22 *may be increased by an amount equal to the sum of the*
23 *amounts in subparagraphs (C) and (D). The revenue*
24 *limit adjustment shall be computed as follows:*

25 (i) *Divide the amount received from the state for the*
26 *2000-01 fiscal year by the regular average daily*
27 *attendance for the second principal apportionment for*
28 *the 2000-01 fiscal year.*

29 (ii) *Add the quotient to the base revenue limit per unit*
30 *of average daily attendance for the 2001-02 fiscal year*
31 *pursuant to clause (i).*

32 (d) *If the funds requested by the school district, the*
33 *county superintendents of schools, and the county offices*
34 *of education for the 2000-01 fiscal year exceed the state*
35 *appropriation for this section, the Superintendent of*
36 *Public Instruction shall reduce all requests by the*
37 *application of a single, common percentage factor for*
38 *apportionment purposes.*

39 (e) *A school district or county office of education shall*
40 *receive reimbursement pursuant to subdivision (c) only*

1 for the amount computed pursuant to this section for
2 those salaries that are increased to meet the amount
3 specified in paragraph (1) of subdivision (b). However,
4 this section does not prohibit a school district and its
5 employees from negotiating salary schedules.

6 ~~(e)–~~

7 (f) The adjustment to the district's revenue limit
8 prescribed in ~~paragraph (6)~~ *subparagraph (E) of*
9 *paragraph (2) of subdivision (c)* shall continue so long as
10 the increase in the salary schedule made pursuant to
11 paragraph (2) of subdivision (b) is maintained.

12 ~~(f)–~~

13 (g) *The Superintendent of Public Instruction shall*
14 *issue appropriate forms to school districts and county*
15 *offices of education no later than September 1, 2000.*
16 *School districts, county superintendents of schools, or*
17 *county offices of education shall notify the*
18 *Superintendent of Public Instruction no later than*
19 *December 31, 2000, regarding which option they wish to*
20 *exercise for the 2000–01 fiscal year. School districts,*
21 *county superintendents of schools, or county offices of*
22 *education shall file their claim form for state funds with*
23 *the Superintendent of Public Instruction no later than*
24 *March 1, 2001.*

25 (h) Adjustments made to school district or county
26 office of education revenue limits pursuant to ~~paragraph~~
27 ~~(5)–or–(6)~~ *subparagraph (E) of paragraph (2) of*
28 *subdivision (c)* shall not be considered part of the base
29 revenue limit for the purpose of computing equalization
30 adjustments or determining other wealth-related
31 differences in school funding.